



COPY OF PAPERS  
ORIGINALLY FILED

Attorney Docket No.: 18062G-003510US  
Client Reference No.: B01-007

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d)) - NONPROFIT ORGANIZATION

Applicant or Patentee: Jean J. Frechet, et al.  
Application or Patent No.: 09/963,858  
Filed or Issued: September 25, 2001  
Title: DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Nonprofit Organization: The Regents of the University of California  
Address of Nonprofit Organization: Office of the President  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

Type of Nonprofit Organization:

- ☒ University or other institution of higher education.  
☒ Tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)].  
☐ Nonprofit scientific or educational under statute of state or the United States of America  
(Name of State \_\_\_\_\_).  
☐ Would qualify as tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)] if located in the United States of America.  
☐ Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America  
(Name of State \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_).

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention, entitled DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE by inventor(s) described in:

- ☐ the specification filed herewith;  
☒ Application No. 09/963,858, filed September 25, 2001;  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: Xenoport, Inc.  
Address: 2631 Hanover Street  
Palo Alto, CA 94304  
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: William A. Hoskins  
Title in Organization of Person Signing: Director  
Address of Person Signing: Office of Technology Licensing, UNIVERSITY OF CALIFORNIA, BERKELEY  
2150 Shattuck Avenue, Suite 510, Berkeley, CA 94720-1620

Signature [Signature] Date Dec 3 2001



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Attorney Docket No.: 18062G-003510US  
Client Reference No.: B01-007

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(e)) - SMALL BUSINESS CONCERN

Applicant or Patentee: Jean J. Frechet, et al.  
Application or Patent No.: 09/963,858  
Filed or Issued: September 25, 2001  
Title: DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern: Xenoport, Inc.  
Address of Small Business Concern: 2631 Hanover Street  
Palo Alto, California 94304

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE by inventor(s) Jean J. Frechet, Rolf H. Ihre described in:

- ☐ the specification filed herewith;  
☒ Application No. 09/963,858, filed September 25, 2001;  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
Address: Office of the President  
1111 Franklin Street, 12th Floor  
Oakland, CA 94602-5200  
☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Juan M. E. Harrison  
Title of Person if Other than Owner: VICE PRESIDENT, BUSINESS DEVELOPMENT  
Address of Person Signing: Xenoport, Inc.  
2631 Hanover Street  
Palo Alto, California 94304

Signature: Juan M. E. Harrison Date: 26 November, 2001

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Attorney Docket No.: 18062G-003510  
Client Ref. No.: B01-007

PTO/SB/01A (10-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/963,858, filed on September 25, 2001,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one Jean J. Frechet

Date: Dec 24, 2001

Signature: [Signature]

Citizen of: United States

Inventor two Rolf H. Ihre

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: Sweden

Inventor three \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor four \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

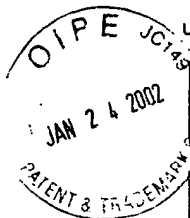
☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1245385 v1

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Attorney Docket No.: 18062G-003510  
Client Ref. No.: B01-007

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/963,858, filed on September 25, 2001,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one Jean J. Frechet Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: United States

Inventor two Rolf H. Ihre Date: DECEMBER 18/2001

Signature: [Signature] Citizen of: Sweden

Inventor three \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

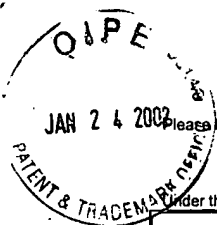
Inventor four \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
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Please type a plus sign (+) inside this box → ☐

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	<b>Application Number</b>	09/963,858
	<b>Filing Date</b>	September 25, 2001
	<b>First Named Inventor</b>	Frechet, Jean J.
	<b>Title</b>	DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE
	<b>Group Art Unit</b>	1711
	<b>Examiner Name</b>	N/A
	<b>Attorney Docket Number</b>	18062G-003510US

I hereby appoint:

☒ Practitioners at Customer Number

20350

Place Customer  
Number Bar Code  
Label here

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	William A. Hoskins, Director
Signature	
Date	Dec 3 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Attorney Docket No. 18062G-003510US  
UC Case No.: B01-007

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jean J. Frechet, et al.

Application No./Patent No.: 09/963,858

Filed/Issue Date: September 25, 2001

Entitled: DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE

The Regents of the University of California, a California corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Dec 3 2001  
Date

[Signature]  
Signature

William A. Hoskins  
Typed or printed name

Director  
Title

COPY AS SENT TO THE US PTO FOR RECORDATION

Attorney Docket No.: 18062G-003510US

UC Reference No.: B01-007

JOINT

ASSIGNMENT OF PATENT APPLICATION

U.C. Case No. B01-007

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Jean J. Frechet 2. Rolf H. Ihre

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its administrative offices located at The Office of the President, 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

DENDRIMERIC SUPPORT OR CARRIER MACROMOLECULE

and which is found in

- (a) ☐ U.S. provisional application filed herewith and listing the above-named persons as inventors
- (b) ☐ U.S. patent application filed herewith and listing the above-named persons as inventors
- (c) ☒ U.S. application serial no. 09/963,858, filed on September 25, 2001
- (d) ☐ U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

Assignment

Application No.: 09/866,132

Page 2


AND the ASSIGNOR(S) requests the Assistant Commissioner for Patents to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

24<sup>th</sup> day of December, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

Signature of Inventor(s)

  
\_\_\_\_\_  
Jean J. Frechet

\_\_\_\_\_  
Rolf H. Ihre

SF 1293853 v1



Assignment  
Application No.: 09/866,132  
Page 2

AND the ASSIGNOR(S) requests the Assistant Commissioner for Patents to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

\_\_\_\_\_ day of \_\_\_\_\_, 2001

18 day of DECEMBER, 2001

Signature of Inventor(s)

\_\_\_\_\_  
Jean J. Frechet

Rolf H. Ihre  
Rolf H. Ihre

SF 1293853 v1